

EXHIBIT LL

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Dallas Division**

CHARLENE CARTER, Plaintiff, v. SOUTHWEST AIRLINES CO., AND TRANSPORT WORKERS UNION OF AMERICA, LOCAL 556, Defendants.	Civil Case No. 3:17-cv-02278-X
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DECLARATION OF CHARLENE CARTER

I, Charlene Carter, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the plaintiff in the above-captioned lawsuit.
2. I am over the age of 21, of sound mind, and capable of making this declaration. The facts stated herein are true and correct and are within my personal knowledge.
3. From on or about September 26, 1996 until to March 14, 2017, I was employed as a flight attendant for Southwest Airlines Co. (“Southwest”). Southwest terminated my employment following a complaint made by Transport Workers Union of America, Local 556’s then president, Audrey Stone (“Stone”) about my messages to her discussing union business.
4. On or about September 29, 2013, I resigned from union membership and objected to paying the union’s compulsory fees for its political, ideological, and other nonbargaining expenses.

5. Beginning around July 2015 I became a supporter of a campaign by Southwest flight attendants to recall Local 556 Executive Board Members from office, including President Stone. I advocated for the recall campaign in different Facebook groups.

6. I am a Christian who believes that abortion is the taking of a human life contrary to the teachings of the Bible and the will of God.

7. I have attended church on about a weekly basis (including virtually during the pandemic) for the last twenty-eight to thirty years. I have home-schooled my daughter for the last eight years using a Christian-based curriculum.

8. Observing my religious beliefs requires me to share with others that abortion is the taking of human life.

9. When I was young I had an abortion. I have regretted it ever since. Through my church, I have worked to encourage women not to have abortions so they can avoid the pain I have experienced and continue to suffer from having an abortion. I worked with my former church's women's group to support pro-life pregnancy centers that assisted women who wanted to keep their babies by providing them with things like formula and diapers. I also contribute money to Priests for Life, a religious, pro-life organization that advocates for pro-life causes to help show that abortion is the taking of human life.

10. Around January or February 2017, I learned that Local 556 members, including President Stone, had attended the January 2017 Women's March in Washington D.C. where the participants advocated for abortion and abortion provider, Planned Parenthood. Local 556 participants posted pictures of their attendance on social media. Many of these pictures showed signs with Southwest logos on them.

11. On or around February 7, 2017, I posted a video to my personal Facebook “timeline” showing a baby that had died from an abortion. With the first video, I made a post stating, “WARNING this is VERY GRAPHIC!! I want my Tax Dollars to STOP funding this....PERIOD!!!! This is MURDER.” I did not write the message below that, which was a post from the site where I found the video. On February 14, 2017, I posted a different video on my Facebook “timeline” page showing another baby that had died from an abortion. With the second video, I made a post stating, “THIS IS GRAFIC....but it needs to be shared over and over....this is MURDER! So for all of you that are Pro-Abortion GOD HELP YOU!” These videos and posts were meant to inform others that abortion ends a human life and is not just a medical procedure.

12. Since 2015, I have sent Local 556 President Audrey Stone private messages on Facebook Messenger that expressed my disagreement with Local 556 on various issues related to the union. All those many messages discussed union issues. At no time did President Stone ever tell me that I should stop sending her messages on Facebook Messenger or otherwise stop communicating with her about union matters or at all.

13. On February 14, 2017, I sent President Stone five private messages on Facebook Messenger. The first contained a video of an aborted baby that I also posted to my Facebook “timeline” later that day. The second contained the same abortion video that I posted to my Facebook “timeline” page on February 7. The third contained a picture of women wearing hats depicting female genitalia. The fourth contained an article about one of the speakers at the Women’s March. The final one was an article written by Alveda King, the niece of civil rights leader Martin Luther King Jr. (“MLK”), discussing how her uncle opposed abortion. All five Facebook Messages were sent to President Stone at her Facebook Messenger account entitled “Audrey Stone-Twu 556,” as had all the other private messages I had sent her since 2015.

14. I sent President Stone the messages opposing abortion because she was President of Local 556 and had led Local 556's members at Women's March in January 2017 that supported abortion and Planned Parenthood. Local 556 had used our forced union dues and fees to pay for expenses involved in attending the Women's March. I objected to Local 556's financial and other support of abortion, and its leadership's and members' attendance at this protest, especially while purporting to represent the views of all Southwest flight attendants, including Southwest flight attendants like me with opposite views.

15. I sent President Stone the Facebook Messenger picture of women wearing hats depicting female genitalia because President Stone and some of the other Local 556 members attending the Women's March wore "pink pussy hats," which I believed were designed in a way to allude to the female genitalia, and were a political symbol with which I disagreed. I wanted President Stone to know that I opposed the ideological message that she and other Local 556 members were conveying when they wore these hats at the Women's March. I found the hats worn by Stone and the other Local 556 members offensive and counterproductive to advancing women's rights. I believed that their wearing these hats and making these statements they did was another reason why they could not represent flight attendants and why the recall would happen.

16. In my message, I posed the question to President Stone of how wearing the "pink pussy hats" would be "coded in the LM2 Financials," which references the union's obligation to report its political activities to the Department of Labor. I objected to having my forced union fees finance the union's ideological expression at the Women's March, especially while wearing the "pink pussy hats."

17. During my March 10, 2017 fact-finding meeting, Southwest management confronted me with pictures that I posted to Facebook in the past. Southwest management

contended that these pictures depicted me in my Southwest uniform or otherwise affiliated me with Southwest. But I had posted these pictures to Facebook more than two years prior to February 2017, except for one picture from January 2017 that shows me in an airport preparing to depart to Washington D.C. Although I am wearing a badge in this photo in an airport, there is no way an ordinary Facebook user viewing this photo would be able to identify me as being associated with Southwest.

18. During over twenty years of employment at Southwest I did not receive any discipline until my termination.

19. The copies of documents I produced and included in the appendix with the bates labels "Carter ____" in support of my motion for partial summary judgment are true and correct copies of: President Stone's Statement Regarding Membership's Vote to Reject the Tentative Agreement, a blank copy of the Recall Petition that was being circulated, the Women's March and Planned Parenthood Newsletter, the Facebook pictures from the Women's March, my Facebook posts in the recall group about Local 556's participation in the Women's March, my Facebook posts about the recall, and additional copies of the videos and messages I posted on my Facebook page about abortion, and the Facebook union-related messages I sent to President Stone.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

DATED: May 4, 2021


CHARLENE CARTER